

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

TEDDY STRATFORD APPAREL LLC,) and BRYAN DAVIS,) Plaintiffs,) vs.) THE ENTITIES listed on EXHIBIT 1,) <u>Defendants.</u>))	Case No. 23-10799 Judge: Andrea R. Wood
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STATUS REPORT

In advance of the hearing on the Plaintiffs' Motion for Entry of a Preliminary Injunction (Dkt. #26), the Plaintiffs and their counsel would like to inform the Court of the following;

- 1. Service of Process:** Plaintiffs served 172 of the 183 Defendants listed on Amended Exhibit 1 via email. Alibaba (ipr_ustro@service.alibaba.com) and AliExpress (IPR-USTRO@aliexpress.com) have not provided contact information for the eleven (11) Defendants hosted on their platforms (and Plaintiffs' counsel continues to work with them to collect that information). Alibaba and AliExpress have, however, confirmed that they forwarded copies of the complaint, summons, motion for preliminary injunction, and notice of hearing set for January 10, 2023, at 10:30 am CST with the call-in number, to their customers.

Plaintiffs were unable to serve the following Defendants and filed a Notice of Voluntary dismissal of these Defendants (Dkt. #44), without prejudice:

3	ZouYuanTao
12	Breezyard
44	LUCKY DOG Grocery
143	discountbloc.ru

153	Lindaflors
158	Otrnton.Top
161	Statloveov
167	Yiqingling Trading Co.Ltd
168	MLQIDK
169	CF TQWQT
173	jjiaozhu_0

Plaintiffs have been unable to serve the following Defendants and will file a Notice of Voluntary dismissal of these Defendants, without prejudice:

10	Bluerave
48	Enzova
65	Hulaline
79	Olednova

Plaintiffs have agreed to voluntarily dismiss all claims without prejudice against the following Defendants, none of which have filed an answer, or motion for summary judgment:

26	wanjunlo
27	New Beautiful Girl
28	Lovely&girls
29	chstock88
31	chuqin-62
32	anime_de_store
33	yunhu9804
34	hothair8811
35	zhut_4666
36	Mel Stylish Shop
37	fashionshoes8815
38	huahuo-61
39	littlegirlsshop

40	weiz-2
41	Fashion's hair accessories
42	nanguan_97
43	liming_438
45	Beautiful Moment
82	prehomemart
83	tarlyrano
89	Selectflory
91	Sigriton
113	Winterduet-1 (2231223371505417444)
118	Minquan Kangsheng Trading Co. ARR7EOCG0MLSH
121	Friyur A38NR2GHVDT3CI
123	PePPertii
125	BigReYe
126	JaneEing
127	BigEyeStore
128	LEYJOKE
131	yiburuxin

All other Defendants were served directly by Plaintiffs at the email addresses on the Defendants' websites or provided by the ecommerce platforms, or indirectly by Alibaba and AliExpress.

2. Bless-eternity Group Motion to Dismiss for Lack of Personal Jurisdiction (Dkt. #70).

Defendants bless-eternity.com (#8), brightmeteors.com (#14), bulk-supplement.com (#16), cleverwhalego.com (#18), coherentm.com (#134), converselyt.com (#19), easy-cheap-go.com (#24), ellastuff.com (#46), embroiderny.com (#47), fairytaleoroma.com (#50), formlurgous.com (#54), funinyo.com (#144), generallyt.com (#56), institutionk.com

(#66), musicianp.com (#75), tenderplanets.com (#97), tonal-diamond.com (#101), unfolbatle.com (#106), validityi.com (#107), vigourgagem.com (#108), and winterduet.com (#110) (collectively, the “bless-eternity Group”) have filed a joint Motion to Dismiss for lack of jurisdiction based on the undocumented claims of some of the members of the group that they did not have any sales of the infringing product in the United States.

The Defendants in this matter can be broken down into four (4) categories: 1) those who admit selling the allegedly infringing products in Illinois; 2) those who admit selling the allegedly infringing products in the United States, but not into Illinois specifically; 3) those who claim not to have sold any allegedly infringing products in the United States, but admit to selling allegedly infringing products outside the United States; and 4) those who claim that they have never sold any allegedly infringing products. The jurisdictional arguments for each category differ.

Plaintiffs recommend that the Court establish the attached briefing schedule and set a hearing on the issue of jurisdiction. Plaintiffs and the Defendants can brief the Court regarding each of the categories of Defendants above and call the Court’s attention to any special circumstances in the process.

3. Oppositions to Motion for Preliminary Injunction. The following Defendants have responded in opposition to Plaintiffs’ Motion for Preliminary Injunction:

- a. **Social Shop, LLC (94).** Plaintiffs have settled with this Defendant and filed Notice of Voluntary Dismissal (Dkt. 54).
- b. **Hilicensce (Dkt. #41).** Plaintiffs have settled with this Defendant and filed Notice of Voluntary Dismissal (Dkt. 54).

- c. **Snappok Group [Hugotok (64), Snappok (22), Snappok (92), foltrend (53), giftnii (57)] (Dkt. #42).** Snappok Group argued broadly that Plaintiffs' two trademark infringement claims, two patent infringement claims, multiple copyright infringement claims, and Bryan Davis misappropriation of likeness claim, have no likelihood on the success of their merits. These arguments are addressed by the Plaintiffs' reply.

The Snappok Defendants have supported their opposition to the Preliminary Injunction with declarations of the various business managers stating the number and amounts of allegedly infringing items sold in Illinois and the United States. None of the Defendants provided any information about any other assets restrained by the TRO. In Plaintiffs' opinion it is impossible for the Court to determine from the information provided which, if any, assets are unrelated to the alleged infringing activities in the Complaint. Furthermore, the information that has been provided, is not a form that can be readily verified. Tables of data in various PDF formats cannot be accurately verified without significant effort. Finally, counsel for the Snappok Group agreed to produce information regarding spending on advertising related to the allegedly infringing websites, Plaintiffs have not received any such information from any of the Defendants.

- d. **Seyoily (90), hibybuy (61), and leancey (153) (Dkt. #38).** Upon information and belief these Defendants are represented by the same counsel and have joined the Snappok Group.
- e. **Jacksman (69), Snappok Shop (93), Stilches (95) (Dkt. #56).** These Defendants have filed a separate motion in opposition to the Preliminary Injunction. They make arguments similar to those made by the Snappok Group.
- f. **Bless-eternity Group (Dkt. #71).** The Chen Group has filed a memorandum of law in support of its opposition to the Preliminary Injunctions (Dkt. #80). The arguments are substantially similar to those raised by the Snappok Group.

Plaintiffs recommend that the Court issue a discovery order, establish the attached briefing schedule, and set an evidentiary hearing on Plaintiffs' Motion for Preliminary Injunction so the Court can accurately determine the identity and nature of the assets restrained by the TRO, the full extent of the Defendants' counterfeiting activities, and review Plaintiffs' evidence of actual consumer confusion occasioned by Defendants' conduct.

4. **Notice of Motion for Entry of Default (Dkt. #74).** Plaintiffs have filed a motion and notice of same for entry of default against defendants who have been served but have not responded. Notice of the hearing originally set for January 10, 2024 at 10:15 am CST sent to the Defaulting Defendants. Counsel did not have time to update them.

Respectfully submitted,

By: /s/ Christopher A. Thornton
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CERTIFICATE OF SERVICE

I, Christopher A. Thornton, certify that a copy of the foregoing was served by the Court's ECF system on January 10, 2024, on all parties who have filed an appearance in this case.

/s/ Christopher A. Thornton

Plaintiffs' Proposed Scheduling Order

Event	Deadline
Plaintiffs shall issue discovery requests for evidence pertaining to: i) the identity and nature of the assets restrained by the TRO, ii) the ownership of the Defendants and any common interests, iii) evidence of actual consumer confusion in the purchase and/or the attempted purchase of allegedly infringing products	January 11, 2024
Defendants shall respond to discovery requests from Plaintiffs.	January 17, 2024
Defendants shall submit/supplement memoranda in support of any Defendant's Motion to Dismiss for lack of jurisdiction.	January 18, 2024
Plaintiffs shall submit/supplement memoranda in opposition to any Defendant's Motion to Dismiss for lack of jurisdiction.	January 24, 2024
Plaintiffs shall submit/supplement materials in support of their Motion for Preliminary Injunction.	January 25, 2024
The Court will issue its decision on any Defendant's Motion to Dismiss for lack of jurisdiction.	January 31, 2024
Defendants shall submit/supplement materials in opposition to Plaintiffs' Motion for Preliminary Injunction.	February 1, 2024
Court will hear evidence and arguments regarding Plaintiffs' Motion for Preliminary Injunction.	Week of February 5 – 9, 2024